

The Examiner has alleged that Mizusawa, et al discloses all of the components of the instant invention, but for, the lubricating port. The Examiner goes to Edwards to show the teaching of such a lubricating port and notes that it would have been obvious to one of ordinary skill in the art at the time of the invention to include a lubricating port to lubricate the ball joint.

The Examiner has missed the total essence of the instant invention.

The ball joint of Mizusawa, et al contains a component 27 that the Examiner has missed. This component is designed and is used in the Mizusawa, et al device to hold the ball in the receptacle in which it is seated. (See column 6, lines 59 to 69.)

Edwards, shows a component 36 that is a spring, which spring urges the dished cap against the stud end and holds the stud in operative position within the housing. (See column 2, lines 15 to 18).

The ball joint of the instant invention does not contain any such spring. That is because it is not required. The ball is urged into the seated position by the application of grease through the lubrication port that applies pressure to the ball. The top of the ball is truncated for the purpose of putting more grease into the area.

Since Mizusawa, et al has a spring, and since Edwards has a spring, why would one skilled in the art even look to Edwards to support the short comings of the Mizusawa, et al patent. They would not, of course. Therefore, the combination of Mizusawa, et al and Edwards is impermissible to support a rejection of the instant claim under 35 USC 103 and the rejection should be withdrawn.

Claim 8 is dependent on claim 1, and therefore, the comments just above would be applicable to claim 8 as well, and would include the reference McEowen, and the Examiner is requested to withdraw the rejection of claim 8.

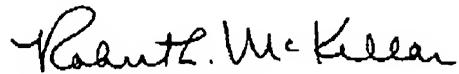
Claims 1 and 4 are rejected under 35 USC 103(a) as being unpatentable over Scheublien, Jr. et al., U.S. Patent 2,954,993 in view of Scheublein, Jr. et al., U.S. Patent 3,103,377 and Maughan, 5,564,853.

The references, individually, or in combination do not make obvious the instant invention. All of the devices of the references require specific additional components to seat and hold the ball joint in position, as opposed to the ball joint of the instant invention

which is held in place by the application of grease over the top of the truncated face of the ball.

For this reason, the Examiner's position is untenable and cannot be maintained and the applicant respectfully requests that the Examiner withdraw the rejections and allow the claims to issue.

Respectfully submitted,



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